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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/586,100	06/02/2000	John C. Pederson	N47.2-9125	6497

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VIDAS, ARRETT & STEINKRAUS, P.A.
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SUITE 2000
MINNETONKA, MN 55343-9185

EXAMINER

LEE, BENJAMIN C

ART UNIT PAPER NUMBER

2632

DATE MAILED: 07/11/2003

19

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/586,100

Applicant(s)

PEDERSON, JOHN C.

Examiner

Benjamin C. Lee

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,10,11,14,16-18 and 22-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,10,11,14,16-18 and 22-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6-7. 6) ☐ Other: _____

Response to Amendment

Claim Rejections - 35 USC § 112

1. Claim 30 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

1) In claim 30, what the difference is between “warning signals” of line 2 and “warning light signals” of line 3 should be further defined.

Claim Rejections - 35 USC § 103

2. Claims 1-4, 10-11, 14, 16-18 and 22-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meinershagen (US pat. #4,556,862) in view of Walton (US pat. #5,966,073).

1) In considering claim 1:

Meinershagen disclosed a vehicle warning lamp system having the claimed combination multiple warning signal light and motorized vehicle (Figs. 13-14), comprising: a plurality of strip light sources (111-112 of Fig. 14 and also Fig. 17) engaged to an exterior surface of the vehicle (Fig. 14 and col. 5, line 59 to col. 6, line 13), each strip light source having a visible exterior surface (Fig. 14); a plurality of light emitters (lamps of Figs. 14 and 17) arranged about and attached to the visible exterior surface of each strip light source; and a controller (129 of col. 9, lines 9-10) in electric communication with the light emitters (Fig. 17) and constructed and arranged to selectively activate the light emitters thereby producing at least two different types of visually distinct warning light signals (left turn, right turn, braking, etc. according to col. 3, line 14 to col. 4, line 40 and Fig. 17) in at least one pattern of light signals (left moving light pattern,

right moving light pattern, etc), said light emitters receiving power from a power source (71 of Fig. 17);

Walton teaches the mounting of vehicle warning light signals on the exterior of the vehicle (Figs. 5, 7 & 12), and further that the light emitters can be light emitting diodes (LEDs) instead of bulbs (col. 3, lines 9-12).

In view of the teachings by Meinershagen and Walton, it would have been obvious to one of ordinary skill in the art at the time of the claimed invention that a warning system such as taught by Meinershagen can be placed on the exterior of the vehicle such as taught by Walton as a user preference so that there are more choices of specific placements on the more expansive vehicle exterior surfaces, and furthermore that LEDs such as taught by Walton can be specifically used to implement the warning signal light emitters in a system such as taught by Wang to provide an improved warning light signal having brighter outputs with longer operating life and lower power consumption.

2) In considering claim 2, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 1, including:

--the claimed controller is constructed and arranged to provide variable power intensity to the light emitting diodes (col. 5, lines 49-51 of Walton).

When using the warning light system as a braking light as an intended use application of the system such as taught by Meinershagen and Walton, it would have been obvious to one of ordinary skill in the art at the time of the claimed invention that a variable power intensity such as taught by Walton can be used to indicate the braking force intensity so as to provide more

useful degree of braking information to vehicles nearby so that drivers of those vehicles can react accordingly.

3) In considering claim 3, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 2, wherein:

--it would have been obvious to one of ordinary skill in the art at the time of the claimed invention that when the system such as taught by Meinershagen and Walton is applied to a vehicle as an add-on feature as disclosed by Meinershagen (col. 6, lines 3-5), each said strip light emitting diode light sources can include a back side having an affixation member for the purpose of attachment/affixation to the vehicle exterior.

4) In considering claim 4, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 3, including:

--the claimed said controller independently controls the LEDs on different strip LED light sources (Figs. 8-14 of Meinershagen when the "turn" signal lights and "warning" signal lights are designated on different strips, whereby both the "turn" and "warning" signals are interpreted as the claimed "combination multiple warning signal light" since turning indication to others also constitutes a warning to others that the vehicle is about to or intending to make a turn).

5) In considering claim 10, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 4, including:

--the claimed said plurality of LEDs are in the form of an array (Figs. 8-14 of Meinershagen).

6) In considering claim 11, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 4, including:

--the claimed said plurality of LEDs are selectively illuminated to create the appearance of rotation (Figs. 5, 10-12 and Table 5 of Meinershagen, wherein the strips have the appearance of two symmetrical halves--left and right-- rotating in opposite directions).

7) In considering claim 14, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 4, including:

--the claimed warning light signal is a directional indicator (turn signals of Meinershagen).

8) In considering claims 16-17, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 4, except:

--specifying the claimed said motorized vehicle is a utility or emergency vehicle.

However, since Meinershagen disclosed that the warning light system includes functions such as turning, stopping and slowing indications which are used on vehicles in general, it would have been obvious to one of ordinary skill in the art at the time of the claimed invention that such a warning light system can be used on any of various types of vehicles including utility and emergency vehicles.

9) In considering claim 18, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 4, including:

--the claimed cover enclosing said LEDs (col. 6, lines 30-35 of Walton, disclosing that a lens having multiple colors is not needed if the LEDs are already colored, indicating that a clear lens is used with the colored LEDs).

It would have been obvious to one of ordinary skill in the art at the time of the claimed invention that a lens/cover such as taught Walton advantageously provides a protective barrier between the LEDs and people as well as the elements in a system such as taught by Meinershagen and Walton and as such provided an incentive/motivation to use such a lens.

10) In considering claim 22, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 1, except:

--specifying the claimed said pattern of light signals comprising alternating illumination of at least two of said visually distinct warning light signals.

However, Meinershagen teaches using distinct illumination patterns for the distinct warning light signals of turn signaling (Fig. 9) and slowing/stopping (Figs. 8, 10-12) without specifying what happens when turn signaling and slowing/stopping occur simultaneously. Since turn signaling and slowing/stopping sometimes do occur simultaneously during normal operation of a vehicle equipped with a system such as taught by Meinershagen and Walton, it would have been obvious to one of ordinary skill in the art at the time of the claimed invention to alternative the two different light patterns in order to convey the two different warning signals.

11) In considering claim 23, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 1, including:

--the claimed said pattern of light signals is repeating (Figs. 8-12 of Meinershagen showing light signals that are repeating).

12) In considering claim 24, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 1, including:

--the claimed said pattern of light signals comprising repeated illumination of one of said visually distinct warning light signals for at least two occurrences (Figs. 8-12 of Meinershagen showing light signals that are repeating).

13) In considering claim 25, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 1, plus the consideration of claim 22, wherein:

It would have been obvious to one of ordinary skill in the art at the time of the claimed invention that in order to ensure positive perception of each of the two (turn signaling and slowing/stopping) warning signals in a system such as taught by Meinershagen and Walton, each warning light signal can be repeated for at least two occurrences before alternating to the other one.

14) In considering claim 26, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 1, plus the consideration of claim 22.

15) In considering claim 27, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 1, including:

--the claimed wherein 3 or more visually distinct warning light signals are generated in any combination to form said pattern (five warning light signals include left turn, right turn, slowing/stopping, hazard flashing and parking according to Tables 1-3 of col. 3; Table 5 of col. 4 and col. 7, line 64 to col. 8, line 5 of Meinershagen, which can all be generated in any combination depending on user actuation and running condition of the vehicle, to form said pattern).

16) In considering claim 28, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 1, plus the consideration of claims 22 and 27, wherein:

It would have been obvious to one of ordinary skill in the art at the time of the claimed invention that a turn signaling, slowing, and hazard flashing can occur at the same time when driving a vehicle equipped with a system such as taught by Meinershagen and Walton, and therefor to alternate them so that each can be discerned by other people, whereby such alternating combination constitutes the claimed pattern.

17) In considering claim 29, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 1, plus the consideration of claim 28.

18) In considering claim 30, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 1, plus the consideration of claim 28.

19) In considering claims 31-33, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 1, including:

-- the claimed said at least two different types of visually distinct warning light signals are generated in a regular pattern (vertical bars used in Fig. 9 and col. 7, line 64 to col. 8, line 5 of Meinershagen) or an intermittent pattern (Figs. 1-12 and Tables 1-3 and 5 of Meinershagen) or an irregular pattern (arrows and slanted bars of Figs. 10-12 of Meinershagen).

20) In considering claim 34, Meinershagen and Walton made obvious all of the claimed subject matter as in the consideration of claim 1, including:

--the claimed at least one sequence of light signals is met by the sequential activations shown in Tables 1-3 and 5 of Meinershagen.

21) In considering claim 35, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 34, plus the consideration of claim 22.

22) In considering claim 36, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 34, plus the consideration of claim 23.

23) In considering claim 38, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 34, plus the consideration of claim 24.

24) In considering claim 39, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 34, plus the consideration of claim 27.

25) In considering claims 40-42, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 34, plus the consideration of claim 28, wherein:

--it would have been obvious to one of ordinary skill in the art at the time of the claimed invention that the alternating of the 3 warning signals in a system such as taught by Meinershagen and Walton can be chosen in an intermittent, and regular or irregular sequence as a matter of design based on preference.

26) In considering claim 37, Meinershagen and Walton made obvious all of the claimed subject matter as in claim 34, plus the consideration of claim 42, wherein:

--it would have been obvious to one of ordinary skill in the art at the time of the claimed invention that the irregularity of the order in the sequence of the alternating/sequencing of the 3 warning signals in a system such as taught by Meinershagen and Walton when multiple signaling is intended to occur at the same time constitutes a random manner in which the illumination of the light signals are generated.

Remarks

3. The above rejection has been made over new grounds using newly found prior art in light of reconsideration of the claimed invention.


Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin C. Lee whose telephone number is (703) 306-4223.

The examiner can normally be reached on Mon -Fri 11:00Am-7:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (703) 308-6730. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8576.


Benjamin C. Lee
Primary Examiner
Art Unit 2632

B.L.
July 9, 2003